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Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/21/2009 has been entered.

Response to Arguments

1. Applicant's arguments with respect to the petition of the application to claim priority to Schiller et al. U.S. Patent No. 6,577,299 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 4-10, 12-13, 38-51 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Yamakita, Tooru EP 0 865 192 and Ito et al. U.S. Patent No. 5,453,762.

Regarding claim 1, Yamakita teaches a method comprising:

Receiving handwriting data (writing data on portable terminal) electronically from a remote user at a handwritten-information server (host device) (page 1, column 1), and

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Processing the handwriting data in accordance with instructions (page 1, column 2, lines 30-34) provided through a user interface (FIG. 1, element 1) of the mobile communication device (page 1, column 2). However, Yamakita does not explicitly teach a receiving, at a mobile communication device representing handwriting motion captured electronically on a handwriting-capturing device separate from the mobile communication device. Ito teaches a method of processing handwriting (FIG. 5) wherein a mobile communication device (the main unit) (FIG. 1, element 102) representing handwriting motion captured electronically (display unit) (FIG. 1, element 115) on a handwriting-capturing device (electronic pen) (FIG. 1, element 101 and FIG. 5) separate from the mobile communication device (the electronic pen and the main unit are separated because they communicate with each other by a communication systems such as infrared) (column 5, lines 11-62). Modifying Yamakita's method of processing handwriting according to Ito would be able to provide a receiving, at a mobile communication device that is different from the mobile communication device. This would improve processing because this would further provide a wireless communication between devices such as pen and mobile communication device to improve portability such as making handwriting device smaller and thinner (column 2, lines 36-38) and therefore, it would have been obvious to one of the ordinary skill in the art to modify Yamakita according to Ito.

For claim 2, Yamakita further teaches the method which the handwriting data is generated by the handwriting device (portable terminal such as table for special pen/stylus) (page 1, column 1 and FIG. 2).

Regarding claim 4, Yamakita discloses method including performing handwriting recognition at the site of the remote user (page 1, column 2, first 2 lines).

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For claim 5, Yamakita teaches the method including performing handwriting recognition at the mobile communication device (character recognition at personal computer/host device) (column 1, lines 33-38).

For claim 7, Yamakita teaches the method which the handwriting data includes information identifying a destination of the handwriting data (page 2, column 2, lines 30-39).

Referring to claim 8, Yamakita further teaches the method which the processing of the handwriting data includes forwarding it to a destination (page 2, column 2, lines 30-39).

Also to claim 9, Yamakita teaches the method which the forwarding comprises sending the handwriting data in FAX format (page 8, column 13, lines 25-30).

Regarding claim 10, Yamakita teaches the method which the forwarding comprises sending the handwriting data as an email attachment or in a body of an email (content of a email) (column 2, lines 40-50).

For claim 12, please refer back to claim 1 for discussed limitations and claim 6 for the teaching of wireless communication. In addition, Yamakita teaches the concept of storing (computer) (page 2, column 1, line 30).

Referring to claim 13, please refer back to claims 1 for the discussed limitations and claims 6 and 12 for the teaching of wireless communication. Furthermore, Yamakita teaches a method providing an interactive user interface on a screen of a mobile device to enable a user to control functions (commands) applied (page 7, column 11, lines 39-47) to the stored handwriting information (simple interface) (page 2, column 2, lines 40-45).

Regarding claim 38, Yamakita teaches the method in which enabling the user includes receiving input through one or more of a screen on the mobile device, a web browser, speech

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recognition, or touch-tone sequences (a fax has touch-tone sequences) (page 3, column 3, line 41).

For claim 39, Yamakita teaches the method in which receiving input includes receiving additional handwriting information (special pen provides additional handwriting information) (page 2, column 2, lines 45-55)

Referring to claim 40, Yamakita teaches the method in which the functions include includes converting the handwriting information to a character format (page 2, column 2, lines 35-38).

As to claim 41, Yamakita teaches the method in which the functions include retrieving the handwritten information (page 3, column 3, lines 3-7).

For claim 42, Yamakita teaches the method in which the functions include forwarding the handwritten information to another user (send by email) (page 3, column 3, line 41).

Referring to claim 43, Yamakita teaches the method in which the functions include making the handwritten information available on the Internet (page 4, column 6, lines 25-30).

For claim 44, Yamakita teaches the method in which the functions include perform computations on the handwritten information (handwritten image analysis) (page 8, column 13, lines 45-50).

Regarding claim 45, Yamakita teaches the method in which the functions include interpreting the handwritten information into computer-usable information (converting the handwriting information to a character format to be understood by computer) (page 2, column 2, lines 35-38).

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For claim 46, Yamakita teaches the method in which interpreting the handwritten information includes extracting an address from the handwritten information (column 3, lines 33-38 and column 6, lines 55-58).

Regarding claim 47, Yamakita teaches the method in which interpreting the handwritten information extracting a phone number from the handwritten information (Yamakita provides the ability to extract image data; thus will be able to extract phone number if there is phone number contained in the image data) (column 6, lines 20-23).

7. Claims 6, 49-51 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Yamakita, Tooru EP 0 865 192 and Ito et al. U.S. Patent No. 5,453,762 as applied to claim 1, and further in view of Lee U.S. Patent No. 5,347,477.

For claim 6, Yamakita teaches the method of including at the handwriting-capturing device, forming an electronic file representing the handwritten information (column 1, lines 13-17), and transmitting the electronically captured handwriting from the communication device to the handwritten-information server (page 1, column 1 and column 2). Yamakita does not explicitly teach wherein the pen can be electronic wireless pen. Lee further teaches a method processes handwriting wherein handwriting data is generated by an electronic wireless communication device (wireless pen) (column 3, lines 24-25 and FIG. 5). Modifying Yamakita's method of processing handwriting data according to Lee would be able to provide a wireless pen in providing the wireless capability for the apparatus. This would improve processing and therefore, it would have been obvious to one of the ordinary skill in the art to modify Yamakita according to Lee.

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Regarding claim 49, please refer back to claims 1, 6 and 12 for further teachings and explanations. In addition, Yamakita teaches processing the handwriting data represented by the file in accordance with instructions provided to the server by the user (column 8, lines 25-30 and column 16, lines 31-37).

For claim 48, Yamakita teaches the method in which interpreting the handwritten information includes extracting a task from the handwritten information (column 3, lines 33-38 and column 6, lines 55-58).

For claim 50, Yamakita further teaches the method which the second mobile communication device (portable terminal) (column 2, lines 50-55) comprises a user interface and is enabled to display a graphical representation (personal computer display) (column 2, lines 1-3) of the handwriting motion data and to edit the handwriting motion data (column 12, lines 23-31).

Regarding claim 51, Yamakita teaches the method in which the instructions (communication function) (column 5, lines 5-15) are provided to the mobile communication device (portable terminals) (column 2, lines 50-55) in the handwriting and identified at the mobile communication device (pattern recognition of character) (column 5, lines 30-35).

For claim 53, please refer back to claim 51 for further teachings and explanations.

For claim 59, as discussed in claims 1, 6 and 12, Yamakita also teaches a capability of sending handwriting data in an email on a mobile communication device (page 1). In addition, Schiller further teaches a limitation of transmitting the file wirelessly to a mobile communication device separate from the handwriting-capturing device (the pen and the cellular

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phone are separate because they communicate with each other by a communication systems such as infrared) (column 12, lines 1-23).

8. Claims 52 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Yamakita, Tooru EP 0 865 192 and Ito et al. U.S. Patent No. 5,453,762 as applied to claims 1 and 12 above, and further in view of Inamoto U.S. Patent No. 6,236,753.

Regarding claim 52, Yamkita does not explicitly teach the concept of hand-capturing device is a penholder used in combination with a pen. Morishita (FIG. 5) and Lee (FIG. 1A) teach a hand-capturing device as a pen. Inamoto teaches a hand-writing processing (abstract) wherein handwriting-capturing device is a pen holder used in combination with a pen (column 5, lines 65-67). Modifying Yamakita's method of processing handwriting data according to Inamoto would be able to use pen holder in combination with a pen so that the pen can be positioned and protected once it is not in used. This would improve processing and therefore, it would have been obvious to one of the ordinary skill in the art to modify Yamakita according to Inamoto.

For claim 54, please refer back to claim 52 for further teachings and explanations.

Contact Information

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIAN Q. LE whose telephone number is (571)272-7424. The examiner can normally be reached on 8:30 A.M - 5:30 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samir Ahmed can be reached on 571-272-7413. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brian Q Le/
Primary Examiner, Art Unit 2624